

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

STEVEN MABLE, et al.,

PLAINTIFF,

v.

JEFFREY A. BEARD, et al.,

DEFENDANTS.

No. 3:10-CV-1214

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SMYSER)

ORDER

NOW this 27th day of February, 2012, upon review of the report and recommendation of Magistrate Judge J. Andrew Smyser (Doc. 124) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The report and recommendation (Doc. 124) is **ADOPTED**.
- (2) Defendant Bohinski's Motion to Dismiss the Plaintiff's Amended Complaint (Doc. 110) is **GRANTED**. The complaint is **DISMISSED** as to Defendant Bohinski.
- (3) This matter is **RECOMMITTED** to the magistrate judge.



A. Richard Caputo
United States District Judge